

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA )  
 )  
 v. )  
 )  
 MICHAEL MURDOCH )

Criminal No. 05-57

23 KSA

INDICTMENT MEMORANDUM

AND NOW comes the United States of America, by its attorneys, Mary Beth Buchanan, United States Attorney for the Western District of Pennsylvania, and Tina O. Miller, Assistant United States Attorney for said District, and submits this Indictment Memorandum to the Court:

I. THE INDICTMENT

A Federal Grand Jury returned a one-count Indictment against the above-named defendant for an alleged violation of federal law:

<u>COUNT</u>	<u>OFFENSE/DATE</u>	<u>TITLE/SECTION</u>
1	Inducing Minor to Engage In Illegal Sexual Activity From in and around June 2004, until in and around September 2004	18 U.S.C. § 2422(b)

II. ELEMENTS OF THE OFFENSE

A. As to Count One

In order for the crime of Inducing a Minor to Engage in Illegal Sexual Activity, in violation of Title 18, United States

Code, Section 2422(b), to be established, the government must prove all of the following essential elements beyond a reasonable doubt:

1. That the defendant knowingly used the mail or any facility or means of interstate or foreign commerce;
2. To persuade, induce, entice or coerce any individual who had not attained the age of 18 years;
3. To engage in any sexual activity for which any person could be charged with a criminal offense.

Title 18, United States Code, Section 2422(b).

### III. PENALTIES

A. As to Count One: Inducing a Minor to Engage in Illegal Sexual Activity, in violation of Title 18, United States Code, Section 2422(b).

1. Imprisonment of not less than five (5) years and not more than thirty (30) years, 18 U.S.C. § 2422(b);
2. A fine of not more than \$250,000.00, 18 U.S.C. § 3571(b)(3);
3. A term of supervised release of up to life, 18 U.S.C. § 3583(k);
4. Any or all of the above.

### IV. MANDATORY SPECIAL ASSESSMENT

A mandatory special assessment of \$100.00 must be imposed, pursuant to 18 U.S.C. § 3013, upon each count of conviction, as the offenses occurred on or after April 24, 1996.

V. RESTITUTION

Restitution may be ordered in this case, together with any authorized penalty, as part of the defendant's sentence pursuant to 18 U.S.C. § 3663, 3663A and 2259.

Respectfully submitted,

MARY BETH BUCHANAN  
United States Attorney



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TINA O. MILLER  
Assistant U.S. Attorney  
PA ID No. 71101